

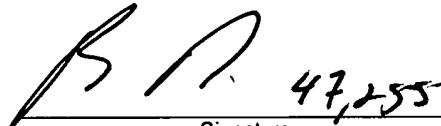


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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		OHT-0022	
		Application Number 10/717,538-Conf. #7981	Filed November 21, 2003
		First Named Inventor Atsushi Hikita	
		Art Unit 1734	Examiner S. Mazumdar
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant /inventor.</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>22,663</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. _____</p> <p> Signature _____ David T. Nikaido Typed or printed name</p> <p><u>(202) 955-3750</u> Telephone number _____ <u>January 25, 2007</u> Date _____</p>			
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input type="checkbox"/> *Total of <u>1</u> forms are submitted.</p>			



Docket No.: OHT-0022  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Atsushi Hikita

Application No.: 10/717,538

Confirmation No.: 7981

Filed: November 21, 2003

Art Unit: 1734

For: DECORATIVE MOLDED OBJECT HAVING  
COLOR DESIGN IMAGE AND METHOD OF  
PRODUCING THE SAME

Examiner: S. Mazumdar

**REQUEST FOR PRE-APPEAL BRIEF PANEL REVIEW OF FINAL REJECTION**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in full and timely response to the Office Action mailed on October 26, 2006.

Claims 1 and 3-16 are present within the above-identified application, with claims 1, 11, and 12 being independent. Reexamination in light of the following remarks is respectfully requested.

**In response to paragraph 8 of the Final Office Action**, which indicates a rejection of claims 1, 8, and 11 under 35 U.S.C. §112, second paragraph, please hold this rejection in abeyance until all other prior art rejections have been resolved, and at that stage, an appropriate response can be filed if still deemed necessary.

**In response to paragraphs 10-13 of the Final Office Action**, these rejections are traversed at least for the following reasons.

**Hayashizaki - Final Office Action fails to show within Hayashizaki the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.**

Figure 1(a) of Hayashizaki arguably teaches the presence of a colored second transparent printed layer 2 formed on the front surface of the transfer substrate 1 (Hayashizaki at paragraph [0031]). Hayashizaki arguably teaches that the second transparent printed layer 2 can be an etching resist (Hayashizaki at paragraph [0023]). Figure 1(b) of Hayashizaki arguably teaches the presence of a metalizing layer 3 (Hayashizaki at paragraph [0031]). Figure 1(c) of Hayashizaki arguably teaches the presence of a first transparent printed layer 4 (Hayashizaki at paragraph [0031]). Hayashizaki arguably teaches that the first transparent printed layer 2 can be an etching resist (Hayashizaki at paragraph [0023]).

However, Hayashizaki fails to disclose, teach, or suggest any of the first transparent printed layer 4, the metalizing layer 3, and the second transparent printed layer 2 as being composed of a porous material having, as a bonding phase, *inorganic fine particles bound with each other with a binder resin*.

Instead, the Final Office Action contends that Hayashizaki teaches the presence of porous areas (B)(Final Office Action at page 5).

In response, while paragraph [0038] of Hayashizaki arguably teaches the presence of an empty symbol portion B, Hayashizaki fails to disclose, teach, or suggest any of the empty symbol portion B as being composed of a porous material having, as a bonding phase, *inorganic fine particles bound with each other with a binder resin*.

**Nishi - Final Office Action fails to show within Nishi the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.**

Nishi arguably teaches that UV reactive hardening resin (3045 supplied by Three Bond Co., Ltd.) 7 is applied to a key top adhesion portion 6 of the key pad 5 by screen printing method

(Nishi at Figure 2, column 5, lines 18-21). Nishi arguably teaches that graphic printing 9 is made with printing ink (Sericol 13 supplied by Teikoku Ink Co., Ltd.) on the back of a rigid resin key top 8 formed with translucent polycarbonate resin (Panlite L1 225L supplied by Teijin Kasei Co., Ltd.), then this rigid resin key top 8 and the key top adhesion portion 6 are adhered, and UV having main wavelength 365 nm is irradiated from the key pad side by the intensity of 1000 mW/cm<sup>2</sup> for 15 seconds to adhere them (Nishi at column 5, lines 21-28).

Nishi arguably teaches that, as shown in Figure 4, graphic printing 16 is made with silicone ink (PRK-3 supplied by TORA Y-Dow Corning Silicone Co., Ltd.) on a key top adhesion portion 15 of a key pad 5 formed with silicone rubber compound (SH861 supplied by TORA Y-Dow Corning Silicone Co., Ltd.) (Nishi at column 5, lines 46-49). Nishi arguably teaches that the surface of this key pad is irradiated by short wavelength UV to after UV reactive hardening resin (3045 supplied by Three Bond Co., Ltd.) 17 is applied to a key top 15 by screen printing method (Nishi at column 5, lines 49-53).

However, the Final Office Action fails to show within Nishi the presence of *a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin*.

Takakura - Final Office Action fails to show within Takakura the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.

Paragraph [0019] of Takakura may quite possibly teach that the concealment layer 2 is a layer of the protection-from-light nature which conceals translucency plastic part 7 front face and a translucency coloring layer after an imprint. Paragraph [0019] of Takakura may quite possibly teach that, as the quality of the material of the concealment layer 2, the thing which made the coloring matter of concealment nature, such as carbon black, contain is in resin binders, such as acrylic resin and polyester resin.

However, the Final Office Action *fails* to show that the coloring matter of the concealment layer 2 is a porous material.

**Fritz** - Final Office Action fails to show within Fritz the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.

Fritz arguably teaches ultraviolet light-curable diacrylate hydantoin adhesive compositions.

However, *Fritz fails* to disclose, teach, or suggest printing *a color design image on an image carrying layer, which is composed of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.*

**Inagaki** - Final Office Action fails to show within Inagaki the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.

Inagaki arguably teaches an active energy ray-curable composition.

However, *Inagaki fails* to disclose, teach, or suggest printing *a color design image on an image carrying layer, which is composed of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.*

**Shimizu** - Final Office Action fails to show within Shimizu the presence of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.

Shimizu arguably teaches the presence of a substrate sheet member 2, an on-demand printed layer 4 and a colored layer 6 (Shimizu at Figures 2A, 2B). Shimizu arguably teaches that the printed sheet 30 includes a substrate sheet member or resin sheet member 22 made of a transparent resin material and having an upper surface bonded to the key top members 32 by means

of a transparent or semitransparent adhesive 34, a printed layer 24 formed with one or more display sections and laminatedly mounted on a lower surface of the resin sheet member 22, and a light-reflecting light-blocking layer 26 exhibiting both light-reflecting and light-blocking properties and formed with punched or perforated sections 27 of a predetermined configuration (Shimizu at Figure 4, column 17, lines 30-39).

Shimizu arguably teaches that, in a push button switch element 40a shown in FIG. 6, the printed sheet 30a which is arranged between the key top members 32 and the rubber cover base 38 is constituted by the resin sheet member 22, the printed layer 24 and the light-reflecting light-blocking layer 26 formed with the perforated sections 27 which are integrally fixed together by the adhesive 34 and pressure sensitive adhesive double coated tape 36 (Shimizu at Figure 6, column 20 line 66 to column 21, line 6). Shimizu arguably teaches that, in a push button switch element 40b shown in FIG. 7, the light-reflecting light-blocking layer 26b of the printed sheet 30b is partially arranged. Use of a silver foil or the like permits the printed sheet 30b to be observed as a metallic color by reflected light. Also, observation using transmitted light permits the push button switch element to be used for a back-lighted key of which an outer periphery is back-lighted, because only the light-reflecting light-blocking layer 26b does not permit light to permeate therethrough (Shimizu at Figure 7, column 21, lines 7-15).

However, Shimizu fails to disclose, teach, or suggest printing *a color design image on an image carrying layer, which is composed of a porous material having, as a bonding phase, inorganic fine particles bound with each other with a binder resin.*

Dated: January 25, 2007

Respectfully submitted,

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